

### **REMARKS**

This responds to the Office Action mailed on March 28, 2007.

Claims 33 has been amended to remove an extraneous period. Claims 46-51 have been cancelled.

#### **§112 Rejection of the Claims**

The Office Action requested amendment of claims 46. Claims 46-51 have been cancelled.

#### **§102 Rejection of the Claims**

Claims 1-2,4-8, 17, 21-22, 24-26, 30-31, 33-37, 39, 46-47, and 49-51 were rejected under 35 U.S.C. § 102(b) for anticipation by Szoke (U.S. 4,787,034). Szoke, however, fails to disclose or suggest each and every limitation of the claims. Szoke discloses loading a first module that includes an unresolved external reference to a program in entries of an E-table and a S-table, and executing a linkage program in the first module. *See* Figure 1; and col. 3, lines 5-10; and col. 3, line 18 – col. 4, line 19. Upon execution of the linkage program, the linkage program replaces the unresolved program reference in the E-table entry and the S-table entry with the actual address of that program. *See* Figure 6; and col. 4, lines 20-46.

Claims 1 and 30 each recite “loading a first set of instructions into an execution unit, wherein the first set of instructions includes an unresolved reference to a second set of instructions, wherein the loading includes replacing the unresolved reference with an address of a third set of instructions.” Claim 21 recites “a loader unit to load a first set of instructions into a memory unit, wherein the first set of instructions includes an unresolved reference to a second set of instructions, the loader unit to replace the unresolved reference with an address of a third set of instructions.” Szoke does not anticipate claims 1, 21, and 30. Szoke discloses replacing an unresolved reference to a first program with an actual address of the first program, and does not disclose or suggest replacing an unresolved reference to a first program with an unresolved reference to a second program. *See* col. 4, lines 20-46. Szoke also discloses executing the linkage program to replace the unresolved reference with the actual address after the module with the linkage program has already been loaded. *See* col. 3, lines 5-10; and col. 3, line 18 – col. 4, line 19. Hence, Szoke fails to disclose or suggest the loading of a module including

replacing an unresolved referenced to a second set of instructions with an address of a third set of instructions.

Claim 7 recites “an executable object module that includes an unresolved reference to a separately compiled object module...wherein the loading includes replacing the unresolved reference with a reference to a system module.” Claim 17 recites “a loader unit to find the executable object module in the storage unit and present the executable object module to the execution unit, wherein the loader unit is to replace the unresolved reference with a reference to a system module.” Claim 26 recites “a loader unit to present the executable object module for execution, wherein the loader unit is to replace the symbolic reference with an address to a system module.” Claim 36 recites “loading the executable object module, wherein the loading includes replacing the unresolved reference with a reference to a system module, and wherein neither the compiling nor the loading include determining whether the unresolved reference refers to a defined external symbol.” Szoke does not anticipate any one of claims 7, 17, 26, and 36. As stated above, Szoke discloses replacing an unresolved reference to a first program with the actual address of the first program. *See* col. 4, lines 20-46. Even if a first program in Szoke can be interpreted as a separately compiled object module, which is not disclosed in Szoke, then Szoke would disclose replacing an unresolved reference to the separately compiled object module with an actual address of the separately compiled object module. As also stated above, Szoke discloses loading a module that contains the linkage program and then executing the linkage program to resolve references. *See* col. 3, lines 5-10; and col. 3, line 18 – col. 4, line 19. Szoke fails to disclose or suggest the loading of a module, which includes resolution of references.

Accordingly, Szoke does not anticipate any of independent claims 1, 7, 17, 21, 26, and 36. Szoke also does not anticipate any of the dependent claims that depend from a corresponding one of the independent claims. Since Szoke fails to disclose or suggest each and every limitation of any one of the independent claims, Applicant respectfully submits that the independent claims and those claims that depend therefrom are allowable.

#### §103 Rejection of the Claims

Claims 12, 15, 16, 41, 44, and 45 were rejected under 35 USC § 103(a) as being unpatentable over Szoke in view of U.S. Patent No. 6,434,685 (“Sexton”). Claims 9, 14 and 43

were rejected under 35 U.S.C. § 103(a) as being unpatentable over Szoke. Claims 3, 11, 13, 19, 23, 28, 32, 40, 42 and 48 were rejected under 35 USC § 103(a) as being unpatentable over Szoke in view of "Apple Developer Connection" Apple Computer Inc. 2001. Claims 10, 18, 20, 27, and 29 were rejected under 35 USC § 103(a) as being unpatentable over Szoke in view of U.S. Patent No. 5,293,630 ("Tatge").

The Office Action refers to Szoke and Sexton to reject independent claims 12 and 41. The Office Action rejects the independent claims 12 and 41 with reference to Szoke for a majority of the limitations, and with reference to Sexton for page alignment disclosure. The Office Action mistakenly assumes that Szoke discloses "symbolic references to addresses in ones of a set of one or more separately compiled object modules...replacing the symbolic references with addresses to a loader subroutine," as recited in claims 12 and 41. As indicated above, Szoke discloses executing a linkage program to resolve an unresolved reference to a program with an actual address of that program and not the address of a loader subroutine. Thus, Szoke fails to disclose or suggest replacing a symbolic reference to an address of a compiled object module with an address of a loader subroutine.

#### Dependent Claims

For at least the reasons given above, all of the independent claims are allowable over the references above. In addition, all of the dependent claims are at least allowable because they depend on a corresponding one of the above independent claims, which are allowable.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 512.628.9324 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,


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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 7th day of June 2007.

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Signature